

CIVIL COVER SHEET

I. (a) PLAINTIFFS

DEFENDANTS

16 5913

County of Residence of First Listed Defendant Philadelphia
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

(c) Attorneys (*Firm Name, Address, and Telephone Number*)
KML Law Group, P.C. – Rebecca A. Solarz, Esquire
701 Market Street, Ste. 5000, Phila., PA 19106
215-627-1322, rsolarz@kmlawgroup.com

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff
(For Diversity Cases Only) and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	1	X	Incorporated <i>or</i> Principal Place of Business In This State	4	4
Citizen of Another State	2	2	Incorporated <i>and</i> Principal Place of Business In Another State	5	5
Citizen or Subject of a Foreign Country	3	3	Foreign Nation	6	6

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	PERSONAL INJURY	PERSONAL INJURY	625 Drug Related Seizure of Property 21 USC 881	422 Appeal 28 USC 158	375 False Claims Act
120 Marine	310 Airplane	365 Personal Injury -	690 Other	423 Withdrawal 28 USC 157	400 State Reapportionment
130 Miller Act	315 Airplane Product Liability	Product Liability		PROPERTY RIGHTS	410 Antitrust
140 Negotiable Instrument	320 Assault, Libel & Slander	367 Health Care/ Pharmaceutical Personal Injury		820 Copyrights	430 Banks and Banking
150 Recovery of Overpayment & Enforcement of Judgment	330 Federal Employers' Liability	Product Liability		830 Patent	450 Commerce
151 Medicare Act	340 Marine	368 Asbestos Personal Injury Product Liability		840 Trademark	460 Deportation
152 Recovery of Defaulted Student Loans (Excludes Veterans)	345 Marine Product Liability	PERSONAL PROPERTY	LABOR	SOCIAL SECURITY	470 Racketeer Influenced and Corrupt Organizations
153 Recovery of Overpayment of Veteran's Benefits	350 Motor Vehicle	370 Other Fraud	710 Fair Labor Standards Act	861 HIA (1395ff)	480 Consumer Credit
160 Stockholders' Suits	355 Motor Vehicle Product Liability	371 Truth in Lending	720 Labor/Management Relations	862 Black Lung (923)	490 Cable/Sat TV
190 Other Contract	360 Other Personal Injury	380 Other Personal Property Damage	740 Railway Labor Act	863 DIWC/DIWW (405(g))	850 Securities/Commodities/ Exchange
195 Contract Product Liability	362 Personal Injury - Medical Malpractice	385 Property Damage Product Liability	751 Family and Medical Leave Act	864 SSID Title XVI	890 Other Statutory Actions
196 Franchise			790 Other Labor Litigation	865 RSI (405(g))	891 Agricultural Acts
			791 Employee Retirement Income Security Act		893 Environmental Matters
					895 Freedom of Information Act
					896 Arbitration
					899 Administrative Procedure Act/Review or Appeal of Agency Decision
					950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS		FEDERAL TAX SUITS	
210 Land Condemnation	440 Other Civil Rights	Habeas Corpus:		870 Taxes (U.S. Plaintiff or Defendant)	
220 Foreclosure	441 Voting	463 Alien Detainee		871 IRS—Third Party	
230 Rent Lease & Ejectment	442 Employment	510 Motions to Vacate Sentence		26 USC 7609	
240 Torts to Land	443 Housing/ Accommodations	530 General	IMMIGRATION		
245 Tort Product Liability	445 Amer. w/Disabilities Employment	535 Death Penalty	462 Naturalization Application		
290 All Other Real Property	446 Amer. w/Disabilities Other	Other:	465 Other Immigration Actions		
	448 Education	540 Mandamus & Other			
		550 Civil Rights			
		555 Prison Condition			
		560 Civil Detainee - Conditions of Confinement			

1 Original Proceeding	2 Removed from State Court	3 Remanded from Appellate Court	4 Reinstated or Reopened	5 Transferred from Another District (specify)	6 Multidistrict Litigation

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity)*:

28 U.S.C. 1345

Brief description of cause:

Enforced Collections

CHECK IF THIS IS A CLASS ACTION
UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: Yes ☒ No ☒

(See instructions):

JUDGE

DOCKET NUMBER

NOV 14 2016

DATE _____

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

MMB

UNITED STATES DISTRICT COURT

16

5913

FOR THE EASTERN DISTRICT OF PENNSYLVANIA – DESIGNATION FORM to be used by counsel to indicate the category of the case of the purpose of assignment to appropriate calendar.

Address of Plaintiff: c/o Suite 5000 – BNY Independence Center, 701 Market Street, Philadelphia, PA 19106-1532

Address of Defendants: 3959 North Smedley Street Philadelphia, PA 19140

Place of Accident, Incident or Transaction: ACTION OF ENFORCED COLLECTIONS

(Use Reverse Side For Additional Space)

Does this case involve multi-district litigation possibilities?

Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier number case pending or within one year previously terminated action in this court?
Yes ☐ No ☒

CIVIL. (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases

1. ☒ Indemnity Contract, Marine contract, and All Other Contracts
2. ☐ FEELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☐ All other Federal Question Cases

(Please specify) **Foreclosure of property encumbered by a federal mortgage.**

B. Diversity Jurisdiction Cases:

1. Insurance contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify)
7. Products Liability
8. Products Liability – Asbestor
9. All other diversity Cases

(Please specify)

ARBITRATION CERTIFICATION

(Check appropriate Category)

I, Rebecca A. Solarz, Esq., counsel of record do hereby certify:

- ☐ Pursuant to Local civil Rule 52.2. Section 20(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs.
- ☐ Relief other than monetary damages is sought.

DATE: 11/7/16

Attorney-at-Law

(sig)

315936
Attorney i.d.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 39.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 11/7/16

Attorney-at-Law

(sig)

315936
Attorney i.d.#

NOV 14 2016

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

Plaintiff

vs.

DIAN J. EDWARDS

Defendant

CIVIL ACTION NO.

16 5913

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that the defendants do not agree with the plaintiff regarding said designation, that the defendants shall, with their first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which those defendants believe the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus -- Cases brought under 28 U.S.C. §2241 through §2255. ()
- (b) Social Security -- Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration -- Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos -- Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management -- Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management -- Cases that do not fall into any one of the other tracks. (X)

11/7/2016

Date

Rebecca A. Solarz, Esq.

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 Pennsylvania Attorney I.D. No. 315936
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NOV 14 2016



UNITED STATES DISTRICT COURT

FOR THE

EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

Plaintiff

vs.

DIAN J. EDWARDS

Defendants

CIVIL NO.

16

5913

COMPLAINT

The United States of America, on behalf of its Agency, U.S. Department of Education, by its specially appointed counsel, Rebecca A. Solarz of KML LAW GROUP, P.C., represents as follows:

1. This Court has jurisdiction pursuant to 28 U.S.C. 1345.
2. The last-known address of the Defendants, DIAN J. EDWARDS ("Defendant") is 3959 North Smedley Street, Philadelphia, PA 19140.
3. That the defendant is indebted to the plaintiff in principal amount of \$2,154.93, plus interest of \$945.15, for a total of \$3,100.08. A true and correct copy of the Certificate of Indebtedness is attached as Exhibit "A" ("Certificate of Indebtedness").
4. Demand has been made upon Defendant by Plaintiff for the sum due but the amount due remains unpaid.

WHEREFORE, the plaintiff demands judgment against Defendant as follows;

(A) In the amount \$3,100.08.

(B) Plus filing fee allowed pursuant to 28 U.S.C., Section 1914 in the sum of \$150.00.

(C) Interest from the date of judgment at the legal rate of interest in effect on the date of judgment until paid in full.

(D) Costs of suit.

Notice is hereby given to Defendant that Plaintiff intends to seek satisfaction of any judgment rendered in its favor in this action from any debt accruing.

United States of America by and through
its specially appointed counsel
KML Law Group, P.C.

By: 

Rebecca A. Solarz, Esquire
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Suite 5000
Philadelphia, PA 19106-1532
(215)825-6327
rsolarz@kmlawgroup.com

UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

Plaintiff

vs.

DIAN J. EDWARDS

Defendant

CIVIL NO.

EXHIBITS

“A” CERTIFICATE OF INDEBTEDNESS

**U. S. DEPARTMENT OF EDUCATION
SAN FRANCISCO, CALIFORNIA**

CERTIFICATE OF INDEBTEDNESS #1 OF 1

DIAN J. EDWARDS
3959 N SMEDLEY STREET
PHILADELPHIA, PA 19140-3420
Account No. XXXXX2949

I certify that U.S. Department of Education records show that the BORROWER named above is indebted to the United States in the amount stated below plus additional interest from 11/03/16.

On or about 12/04/01, the BORROWER executed promissory note to secure loan of \$2,091.00 from the U.S. Department of Education. This loan was disbursed for \$ 2,121.00 on 12/21/01 through 03/14/02 at a variable rate of interest to be established annually. The loan was made by the Department under the William D. Ford Federal Direct Loan Program under Title IV, Part D of the Higher Education Act of 1965, as amended, 20 U.S.C. 1087a et seq. (34 C.F.R. Part 685). The Department demanded payment according to the terms of the note, and the BORROWER defaulted on the obligation on 11/11/05. Pursuant to 34 C.F.R. § 685.202(b), a total of \$169.91 in unpaid interest was capitalized and added to the principal balance.

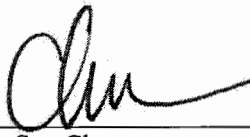
The Department has credited a total of \$470.00 in payments from all sources, including Treasury Department offsets, if any, to the balance. After application of these payments, the BORROWER now owes the United States the following:

Principal:	\$2,154.93
Interest:	\$ 945.15
 Total debt as of 11/03/16:	 \$3,100.08

Interest accrues on the principal shown here at the current rate of 3.45% and a daily rate of \$0.20 through June 30, 2017, and thereafter at such rate as the Department establishes pursuant to Section 455(b) of the Higher Education Act of 1965, as amended, 20 U.S.C. 1087e.

Pursuant to 28 U.S.C. § 1746(2), I certify under penalty of perjury that the foregoing is true and correct.

Executed on: 11/03/16


Gin Say Chan
Loan Analyst
Litigation Support Unit